

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE VIVENDI UNIVERSAL, S.A.
SECURITIES LITIGATION

ALL ACTIONS CONSOLIDATED
WITH IN RE VIVENDI UNIVERSAL, S.A.
SECURITIES LITIGATION

02 Civ. 5571 (RJH/HBP)
ECF CASE

**NOTICE OF DEFENDANTS' MOTION TO EXCLUDE THE EXPERT
TESTIMONY OF DR. BLAINE NYE**

PLEASE TAKE NOTICE that, upon the Memorandum of Law, dated June 2, 2009, and exhibits thereto, and all prior pleadings and proceedings herein, Defendants Vivendi, S.A., Jean-Marie Messier and Guillaume Hannezo hereby move this Court, before Judge Richard J. Holwell, at the Courthouse, 500 Pearl Street, New York, New York, to exclude the expert testimony of Dr. Blaine Nye, pursuant to Rule 702 of the Federal Rules of Evidence.

June 2, 2009

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